

## **Senate Bill No. 384**

### **CHAPTER 242**

An act to amend Sections 70010.5 and 70011 of the Education Code, relating to scholarships, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 22, 2014. Filed with  
Secretary of State August 22, 2014.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 384, Gaines. California Memorial Scholarship Program.

Existing law also establishes the Antiterrorism Fund for purposes that include funding antiterrorism activities. Existing law establishes the California Memorial Scholarship Program, administered by the Scholarshare Investment Board and funded by the California Memorial Scholarship Fund. Existing law states that the purpose of the program is to provide scholarships for surviving dependents of California residents killed as a result of injuries sustained during the terrorist attacks of September 11, 2001. Existing law further provides that these scholarships shall be used to defray the costs incurred by participants in the program at institutions of higher education.

Existing law requires the California Victim Compensation and Government Claims Board to identify all persons who are eligible for scholarships under the program and to notify them of their eligibility no later than July 1, 2003. Existing law requires eligible persons to inform the Scholarshare Investment Board in a timely manner of their decision on whether to participate in the program and requires eligible persons who are to become participants in the program to execute agreements no later than July 1, 2005. Existing law requires an agreement to specify that any moneys remaining in an account after the 30th birthday of the participant, or not later than July 1, 2015, whichever occurs last, shall revert to the Antiterrorism Fund.

This bill would instead require the California Victim Compensation and Government Claims Board to identify, and confirm by documentation, all persons who are eligible for scholarships under the program by use of various methods, including, among others, media outreach and communication with the Special Master of the federal September 11th Victim Compensation Fund, and, after creating a new list of eligible persons, to notify those persons of their eligibility by no later than July 1, 2015. The bill would require the Scholarshare Investment Board to service these scholarships only for individuals determined to be eligible by the California Victim Compensation and Government Claims Board. The bill would require eligible persons who are to become participants in the program to execute participation agreements no later than July 1, 2016, and would require those agreements to revert the

moneys remaining in a participant's account to the Antiterrorism Fund after the 30th birthday of the participant, or not later than July 1, 2026, whichever occurs last.

This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 70010.5 of the Education Code is amended to read:

70010.5. (a) The California Victim Compensation and Government Claims Board shall identify, and confirm by documentation, all persons who are eligible for scholarships under the program. The California Victim Compensation and Government Claims Board shall use various methods to identify those persons, including, but not limited to, all of the following:

(1) Media outreach, including, but not limited to, social media, that explains the details of the program, who is eligible for scholarships under the program, and how to sign up for further notifications regarding the program.

(2) Written notification to persons, or in the case of minors, their parents or guardians, who have previously been identified as eligible for scholarships under the program, and their known family members. The notification shall explain that the program has been reopened, and that the California Victim Compensation and Government Claims Board is seeking information regarding other persons who may be eligible for the program, and shall provide instructions on how to sign up for further notifications regarding the program.

(3) Communication with the Special Master of the federal September 11th Victim Compensation Fund to determine if additional victims who were California residents have been identified.

(b) After creating a new list of eligible persons for the program, the California Victim Compensation and Government Claims Board shall notify these persons or, in the case of minors, the parents or guardians of these persons, of their eligibility for scholarships under the program.

(1) The notification shall be in writing.

(2) The notification shall provide details on the program and how to apply for scholarships under the program.

(3) The notification shall be received by all of the appropriate persons no later than July 1, 2015.

(c) The Scholarshare Investment Board shall service scholarships pursuant to this article only for individuals determined to be eligible by the California Victim Compensation and Government Claims Board.

(d) Eligible persons, or in the case of minors, the parents or guardians of these persons, shall inform the Scholarshare Investment Board of their decision on whether to participate in the program in a timely manner. Eligible persons, or in the case of minors, the parents or guardians of these persons,

who are to become participants in the program shall execute agreements pursuant to Section 70011 no later than July 1, 2016.

SEC. 2. Section 70011 of the Education Code is amended to read:

70011. (a) The board may enter into agreements with participants or with persons entitled to act on behalf of participants.

(b) An agreement shall specify that any moneys remaining in an account after the 30th birthday of the participant, or not later than July 1, 2026, whichever occurs last, shall revert to the Antiterrorism Fund established under paragraph (1) of subdivision (c) of Section 5066 of the Vehicle Code. The agreements may also include, but need not be limited to, the terms and subject matter set forth in Section 69983.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Because many eligible persons are not currently receiving scholarships under the program, and because of the higher education expenses, prospective or ongoing, of the dependents of California residents who were killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, it is necessary that this act take effect immediately.